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05	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON	
06	AT SEATTLE	
07	UNITED STATES OF AMERICA,) CASE NO. CR03-094-MJP	
08	Plaintiff,	
09	v.) SUMMARY REPORT OF U.S.) MAGISTRATE JUDGE AS TO	
10	PAUL ALTON MATTHEWS,) ALLEGED VIOLATIONS	
11) OF SUPERVISED RELEASE Defendant.	
12)	
13	An evidentiary hearing on supervised release revocation in this case was scheduled before	re
14	me on April 20, 2006. The United States was represented by AUSA Katheryn K. Frierson a	nd
15	the defendant by William T. Hines. The proceedings were digitally recorded.	
16	Defendant had been sentenced on or about July 17, 2003 by the Honorable Marsha	J.
17	Pechman on a charge of Conspiracy to Possess Stolen Mail and to Produce False Identificati	on
18	Documents Without Lawful Authority, and sentenced to 104 days custody (time served), 3 year	ırs
19	supervised release. (Dkt. 68.)	
20	The conditions of supervised release included the standard conditions plus the requirement	ıts
21	that defendant reside in a community corrections center for up to 3 months subject to locating	an
22	appropriate residential situation, participate in a drug treatment and testing program, abstain from	m
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alcohol, submit to search, provide access to financial information, allow inspection of his personal computer and monitoring of any computer used in his employment, no new credit, do not possess any identification documents in any but his true identity, and pay restitution in the amount of \$2,993.00.

On April 9, 2004, defendant admitted to violating the conditions of supervised release by committing the crime of driving while license was suspended, failing to notify the probation officer of contact with law enforcement within 72 hours, failing to report to the probation officer as directed, using methamphetamine, failing to report for drug testing as directed, failing to report for drug treatment, and failing to make restitution payments. (Dkt. 77). Defendant was sentenced to serve 60 days in custody, with 33 months supervised release. Defendant was ordered to participate in inpatient drug treatment at Pioneer Center North, reside in a halfway house for up to 4 months, participate in a mental health program and take medications as prescribed. (Dkt. 82.)

On June 25, 2004, defendant admitted to violating the conditions of supervised release by failing to report to his probation officer and failing to report to the halfway house. (Dkt. 92.) He was sentenced to 90 days in custody, 30 months supervised release. (Dkt. 96.) Supervised release was modified on January 27, 2006 to require residence in a home confinement program with electronic monitoring for up to 90 days. (Dkt. 106).

In an application dated March 23, 2006 (Dkt 113), Supervising U.S. Probation Officer Steven M. McNickle alleged the following violations of the conditions of probation:

1. Failing to participate in the home confinement program by deviating from his approved schedule on March 16 and March 17, 2006 in violation of condition #3 of his home confinement conditions and in violation of a special condition of his supervised release.

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01 2. Failing to answer truthfully to all inquiries of the probation officer in violation of standard condition #3. 02 03 3. Using methamphetamine on or before March 17, 2006 in violation of standard condition 7. 05 4. Failing to appear for drug testing on February 23, March 13, and March 16, 2006 in violation of special condition 1. 06 07 5. Failing to participate as instructed by the U.S. Probation Officer in a program approved by the probation office for treatment of drug dependency in violation of special condition 09 1. 10 6. Failing to allow the probation officer to monitor the defendant's use of employment computer in violation of special condition 6. 11 12 Defendant was advised in full as to those charges and as to his constitutional rights. 13 Defendant admitted alleged violations 1-5 and waived any evidentiary hearing as to whether they occurred. The United States moved to dismiss violation number 6. 14 15 I therefore recommend the Court find defendant violated his supervised release as alleged in violations 1-5, dismiss violation number 6, and that the Court conduct a hearing limited to the 17 issue of disposition. The next hearing will be set before Judge Pechman. 18 Pending a final determination by the Court, defendant has been detained. 19 DATED this 20th day of April, 2006. 20 21 United States Magistrate Judge 22

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District Judge: Honorable Marsha J. Pechman cc: AUSA: Katheryn K. Frierson William T. Hines Defendant's attorney: Probation officer: Steven M. McNickle

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